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SUBJECT: PRT/TARIN KOWT: DOING HARD TIME IN URUZGAN PROVINCE

[1](#)1. (SBU) Summary: A USG team visiting Uruzgan Provincial Prison found that the warden and prison guards, although untrained, were paid regularly and were interested in receiving training and improving the facility. The prison and administrative buildings were largely crumbling mud-brick structures which had collapsed in the past; prisoners did not have access to potable water. However, an inspection of the facility and interviews with inmates revealed that prisoners were generally healthy, fed regularly, and not mistreated. Indeed, living conditions at the prison compared favorably with villages and police and army barracks PRToff has visited in the province. The main area of concern actually had little to do with the prison itself; rather, it was the absence of any uniform judicial process. Neither guards nor inmates had any idea about the length of prison sentences or possibilities of reprieve or appeal. Inmates were remanded to the Warden by the Governor or District Chiefs and remained incarcerated until the Governor ordered their release. End summary.

[1](#)2. (SBU) PRToff, DynCorps Police Mentors, and the Military Police Advisory Team (MPAT) visited the Uruzgan Provincial Prison on December 30, 2005, where they spoke with the Warden, inspected the prison, and interviewed several inmates.

Prison Personnel

[1](#)3. (SBU) The Uruzgan Provincial Prison is operated by a private contractor, Sadar Mohammed, who was not present on the day of the visit. Governor Jan Mohammed Khan appointed (or awarded a contract to) Sadar Mohammed Khan a year ago. Although nominally under the authority of (and apparently financed by) the Ministry of Justice (MOJ), Mohammed and other prison officials and guards take their orders from the Provincial Governor.

[1](#)4. (SBU) Sefallah Khan, as Warden, is responsible for the day-to-day operation of the prison. Like all of his men, he has received no training but expressed an interest in possible improvements to the prison or its operation. Mr. Khan supervises 25 guards who also double as cooks, mechanics, or masons, and take on other tasks as needed. One literate individual, who was not present, maintains the prison records in a locked room (which PRToff and other visitors were not able to see). Collectively, the guards are armed with five AK-47 assault rifles and limited ammunition. During the visit none of the guards were carrying weapons or in uniform. All the employees, including Sefallah Khan, live in an administrative building adjacent to the prison. Guards earn wages of 1500 Afghanis/month (about USD 30) and are paid in three-month increments of 4500 Afghanis by Sardar Mohammed, with money he apparently obtains from an MOJ representative in Kandahar.

Buildings in State of Decay

[1](#)5. (SBU) The Uruzgan Prison sits at the edge of Tarin Kowt about a block from the Governor's compound. The prison is actually two compounds, an administrative building and an adjoining prison separated by a shared wall. The administrative building is a former residence surrounded by a typical residential wall (about two meters high) that houses the warden, guards, and administrative offices. In the adjacent compound, the prison consists of a large mud building with three large cells, a kitchen, a latrine, and a large yard in back surrounded by a three meter wall topped with concertina. Guards watch from the roof of the jail down into the yard. The prison is apparently designed to house 60 inmates and currently holds 53 prisoners. Both buildings and their compound walls are in a state of decay, although the crumbling mud

structure of the prison is by far in the worst condition. Indeed, the Warden related that one of the prison walls had collapsed the previous year and killed an inmate (the new but shoddy and unmortared bricks of one wall validated his statement). Along with the danger to the prisoners and guards, the crumbling structure also provides inadequate security -- 13 inmates have escaped in the last year.

Procedures Lacking

16. (SBU) The Warden and guards operate on only the most rudimentary procedures. Individuals are sent to prison at the order of the Governor, District Chiefs, Police Chiefs, and occasionally by judges and prosecutors. There appears to be little or no criminal procedure guiding the system. Prisoners come from all over Uruzgan and from a wide cross-section of tribes (including the Governor's Populzai tribe). They arrive with indeterminate sentences and are incarcerated until the Governor sends a letter ordering their release. For the most part, the inmates seem to have no set routine, sometimes working on handicrafts for income to supplement their diet (or scheming to escape, given the inadequate security and poorly armed guards). In any case, the Warden had no real plan beyond holding and feeding the prisoners -- no thought has been put to usefully employing or rehabilitating the inmates.

Prisoners Living Conditions

17. (SBU) The condition of the prisoners is simple but surprisingly mild relative to the quality of life of an average farm worker in the province. The prisoners are assigned to three sleeping rooms that all open out onto a courtyard. (Note: The Warden claimed that the most violent prisoners are all housed in one room, but given the three rooms appeared unsecured and the inmates moved about freely this assertion is probably not true. End note.) Although there is no heat and the inmates have no beds, they are issued blankets and mats to sleep on. Along with the three sleeping rooms, there is one communal indoor latrine.

18. (SBU) The prisoners are fed three times a day from the same kitchen and pantry that the guards use. Morning meals consist of tea and bread and mid-day and evening meals consist of tea, bread, and potatoes. Once a week, beef is served with the evening meal. Food for prisoners and guards alike is funded by the MOJ through Sadar Mohammed and purchased locally. Water for both drinking and hygiene comes from a pool in the middle of the courtyard. Although the pool appears to be fed from a pipe or spring and has an outflow, prisoners use it for all manner of personal needs and it appeared very unsanitary. Finally, prisoners may receive visitors for an hour on Thursdays in a separate room in the prison, although there was some uncertainty as to whether women can visit prisoners at all or just not privately.

19. (SBU) By permission of both the Warden and the prisoners in question, Poloff and MPAT Sergeant interviewed two prisoners. The first was a farmer from the western district of Deh Rahwud who shot to death one of his workers, apparently accidentally. For this crime, the 19-year old farmer has been incarcerated for 3 + years. After being arrested he was sent directly to prison and never went before a judge. He has no idea how long he will be in prison. His immediate physical concern was the prison water supply, which has caused many prisoners to frequently fall ill. He also noted that the prison provided no regular medical attention, although very ill prisoners were taken to a doctor in town. The prisoner was issued a mattress and blankets and his family had brought him more. He had no complaints about the prison staff and said he felt healthy and adequately fed. While openly conceding to having killed a man, the young farmer insisted it was an accident and wanted resolution to his case -- how long must he serve and for what crime: murder or manslaughter?

10. (SBU) The second inmate was also a farmer, but from Chora District and, at 35 years old, only three months into an indeterminate sentence. Also accused of murder, he claimed that another man has since been caught for the murder, so now he wants to be released from prison. Sent to prison at the orders of the Governor, the farmer indicated that he also never went before a judge but did go before a prosecutor. Despite that, he still has no idea how long he will be in prison. He has been allowed to see visitors but

not his wife, about which he was very distraught. He also complained about dirty water that caused diarrhea among many of the prisoners. Responding to a question from the MPAT Sergeant, he indicated that the prisoners were beaten with sticks by guards for misbehaving, but follow-up questions did not elicit much fear or concern about the beatings; the prisoner only became agitated discussing the water and his wife.

Comment

11. (SBU) Overall the prison had a surprisingly relaxed atmosphere, with guards and prisoners dressed alike and largely sharing the same existence. PRToff noted that the prison compared favorably with army and police barracks. Although PRToff and MPAT team were there for only a few hours, at least superficially no deliberate or cruel treatment seemed evident and any mistreatment suffered by the inmates likely resulted from a paucity of resources. The unsanitary water source was clearly a problem that the PRT will investigate, but it is a hardly a unique problem to the prison and indeed is endemic throughout the province.

12. (SBU) The most troubling issue from this visit was a reflection not so much on the penal system but on the judicial process. Neither the guards nor the prisoners seemed familiar with any legal procedures and neither group had any idea of the length of prisoners' sentences. Thus, although by Afghan standards the prisoners were not physically abused, they certainly languish in a deeply uncertain state of imprisonment that itself is no small form of mistreatment.

NORLAND